

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yau et al.

SERIAL NO.: 10/033,591

ART UNIT:

FILED: 12/27/2001

EXAMINER:

TITLE: HANDSET HOLDER

ATTORNEY DOCKET NO.: 723P010046-US (PAR)

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. 1.47(a)

Sir:

The Applicants hereby petition under 37 C.F.R. 1.47(a) that the Combined Declaration and Power of Attorney mailed on 5/28/02, (a copy of which is submitted again herewith) in the above-referenced international application, which Combined Declaration and Power of Attorney is executed by all the available joint inventors in the above-referenced international application, be accepted in the above-referenced international application as the declaration made by all the available joint inventors on behalf of the non-signing inventor.

As specified under M.P.E.P. §409.03(a), (d), a statement of facts is attached hereto in support of this petition showing that a bona fide attempt has been made to present a copy of the application papers to the non-signing inventor.

04/07/2003 AKELLEY 00000017-161350-1003591

01 FC:1460

130.00 CH

Respectfully submitted,



Janik Marcovici
Reg. No.: 42,841
Perman & Green, LLP
425 Post Road
Fairfield, CT 06824

Date

Telephone: (203) 259-1800
Facsimile: (203) 255-5170

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11/6/02
Date

Denise Spaulding
Name of Person Making Deposit

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PATENT & TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yau et al.

SERIAL NO.: 10/033, 591

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EXAMINER:

TITLE: HANDSET HOLDER

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

STATEMENT IN SUPPORT OF PETITION UNDER 37 C.F.R. 1.47(a)

Sir:

The undersigned hereby states the following:

1. I am a Japanese citizen residing at 1-36-1, Shimouma, Setagaya-ku, Tokyo, Japan.
2. I am presently employed at Nokia Japan Co. Ltd., a division of Nokia, a Finish company with offices located at 1-8-1, Shimo-meguro, Meguro-ku, Tokyo 153-0084, Japan.
3. My current position at Nokia Japan Co. Ltd. is patent engineer.
4. I have been employed in this position since March, 2002.
5. In this position I am responsible for coordinating the execution of patent application papers by inventors at Nokia Japan Co. Ltd., which included execution by inventors of the Combined Declaration and Power of

Attorney for international applications designating/electing the United States.

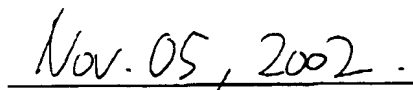
6. William Yau, of Tokyo, Japan, a British Citizen; Wan Ho Lam, of Wong Tai Sin, a Hong Kong citizen; Kenneth Kwong Man Wai, of Tuen Mun, Hong Kong, a Chinese citizen; and Kenny Wai, of Kwun Tong, Hong Kong (previously of Kowloon, Hong Kong), a Chinese citizen, are all joint inventors in the above-referenced international application.
7. The last know address of Kenny Wai is 6A, BLK 6, Yan Tong Center, Kwun Tong, KLN, Hong Kong.
8. Exhibit (A) appended hereto is a copy of a Japan Post Office EMS Service waybill No. EE 620654330 JP (hereafter the EMS waybill) dated 10/18/02, and addressed to Kenny Wai is 6A, BLK 6, Yan Tong Center, Kwun Tong, KLN, Hong Kong.
9. The EMS waybill itself was attached to a package (hereafter the Package) containing a copy of the patent application papers including the Specification, Claims, Drawings, and Combined Declaration and Power of Attorney (hereafter the Declaration) for the above-referenced international patent application being sent to Kenny Wai for execution.
10. Exhibit (B) appended hereto is a facsimile copy of the Declaration sent to Kenny Wai for execution.
11. Page 4 of the Declaration sent to Kenny Wai for execution has a blank space with the heading "Fourth Inventor's Signature" in the block for Kenny Wai, indicating that the inventor was to sign the Declaration and the location to place the signature.

12. Page 4 of the Declaration sent to Kenny Wai for execution, has the word "Date" affixed thereon alongside the heading "Fourth Inventor's signature" in the block for Kenny Wai.
13. The Package, containing the patent application papers for Kenny Wai, having the EMS waybill attached thereto was delivered on 10/18/02 to the Japan Post Office for shipping from the offices of Nokia Japan Co. Ltd., Akasaka eight-one Bldg. 7F, 2-13-5 Nagata-cho, Chiyoda-ku, Tokyo.
14. The Package was shipped to Kenny Wai using the EMS (express mail service) service.
15. The Declaration was not returned to Nokia Japan Co. Ltd., nor was any other response received from Kenny Wai.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Name: Motohiro Kasahara



Date:

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配達状況がわかります。
インターネット <http://www.post.yusai.go.jp>
お問い合わせ 0120-232886 (平日9:00~17:00)

3 郵便物番号
Item number EE 620654330 JP

4 From 差出年月日 Date mailed
(依頼主)

Motokuro Kasuhara / IPX
NOKIA Japan co. Ltd
Atsuta eight-one Bldg. 7F
2-13-5 Nagata-cho
Chiyoda-ku Tokyo
JAPAN

5 郵便番号 100-0014
6 依頼主電話番号 / FAX 番号 Telephone No. / Fax No.
03-3592-5098 / 03-3592-3555

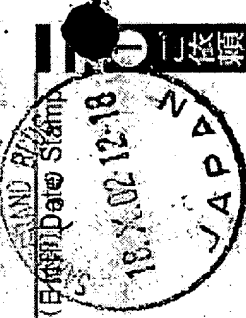
5 引受時刻 時 (Hour) 分 (Minute) 郵便便料金 Yen
Time mailed 12 10 Postage paid 900
総重量 200 g
Total gross weight 200 g
備考 Remarks

7 TO Mr. Kenny WAI
(お届け先)
6A, BLK 6, Yau Tong Center,
Kwun Tong, KLN, Hong Kong

8 Destination country Hong Kong
(国名)
9 TEL/FAX



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EXHIBIT A